

3 FAM 3740

EMERGENCY VISITATION TRAVEL (EVT)

(CT:PER-678; 06-22-2012)
(Office of Origin: HR/ER/WLD)

3 FAM 3741 AUTHORITY

(CT:PER-616; 09-15-2009)
(Uniform State/USDA/BBG/Commerce/USAID)
(Applies to Foreign Service Employees)

The authority for this policy includes Sections 901 and 904 of the Foreign Service Act of 1980 (22 U.S.C. 4081 and 4084).

3 FAM 3742 PURPOSE

(CT:PER-616; 09-15-2009)
(Uniform State/USDA/BBG/Commerce/USAID)
(Applies to Foreign Service Employees)

Emergency visitation travel (EVT) is a benefit that allows an eligible individual to be authorized travel at U.S. Government expense from the post of assignment to the United States or to other locations in certain situations of family emergency. The purpose of this subchapter is to set forth Department policy on this benefit.

3 FAM 3743 ELIGIBILITY

(CT:PER-630; 11-18-2010)
(Uniform State/USDA/BBG/Commerce/USAID)
(Applies to Foreign Service Employees)

- a. All Foreign Service employees stationed abroad, including Civil Service employees on limited noncareer appointments (LNAs), and certain eligible family members if residing at the employee's post of assignment, are eligible for emergency visitation travel (EVT). EVT is not authorized for travel within the country of assignment abroad. All EVT requests are required to be authorized on a case-by-case basis, pursuant to the procedures in this section and in 3 FAM 3740.
- b. Employees assigned abroad who are away from post of assignment on TDY are eligible for EVT regardless of TDY location. Employees who are on other official travel (R&R or home leave) or on personal leave are eligible for cost-constructed EVT (see 3 FAM 3749.1) as long as the employee's EVT point of

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departure is not in the same country as the ill or deceased family member.

- c. Employees temporarily assigned to Washington, DC for long-term training are not eligible for EVT.
- d. Employees abroad who are away from post of assignment should make every effort to consult with the EVT authorizing office and post management officer before initiating EVT travel. This consultation is essential in determining the most appropriate course for continuation of travel, and will minimize employee liability for fare change penalties, etc.
- e. A resident-locally-engaged employee is not eligible for EVT unless the employee is a spouse or domestic partner (as defined in 3 FAM 1610) of an eligible employee.
- f. Only employees on official duty at State Department-designated unaccompanied posts are eligible for unaccompanied post EVT.

3 FAM 3744 GENERAL PROVISIONS

(CT:PER-630; 11-18-2010)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. There are 5 categories of EVT; each may be authorized under the following circumstances:
 - (1) Medical: A member of the employee's or the employee's spouse's or domestic partner's (as defined in 3 FAM 1610) immediate family is seriously ill or injured and death is imminent; i.e., expected within days. The Office of Medical Services (MED) makes this determination after consultation with the family member's physician. Post approves and funds medical EVT upon recommendation from MED;
 - (2) Death: A member of the employee's or the employee's spouse's or domestic partner's (as defined in 3 FAM 1610) immediate family has died; or the employee or an eligible family member resident at the post of assignment dies, and eligible family members will accompany the remains or travel to the place of interment in the United States or abroad. Post approves and funds death EVT;
 - (3) Eldercare (formerly incapacitated parent): A parent of the employee or the employee's spouse or domestic partner (as defined in 3 FAM 1610) becomes temporarily or permanently incapacitated but is expected to survive; travel is necessary to assess the parent's need for new living arrangements or other form of care. HR/ER (State) approves and funds eldercare EVT;
 - (4) Unusual personal hardship: An employee or employee's spouse or domestic partner (as defined in 3 FAM 1610) requires emergency family

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visitation in certain exceptional circumstances involving unusual personal hardship other than those provided in 3 FAM 3744, subparagraphs a(1) through a(3). HR/ER (State) approves and post funds unusual personal hardship EVT; and

- (5) Unaccompanied post: An employee on official duty at an unaccompanied post is seriously wounded or becomes critically ill, is subsequently medevaced to another medical facility, and a family member's and/or agent's presence is determined to be medically required during the emergency period. State's Office of Casualty Assistance (OCA) approves and State's regional bureaus fund unaccompanied post EVT.
- b. Authorizing and reporting offices: For all agencies, see 3 FAH-1 Exhibit H-3741-2.
- c. Funding authority: For all agencies, see 3 FAM 3749.2.
- d. Number of travelers permitted: Ordinarily, only one member of a family (the person directly related to the ill, dying, or deceased individual) may travel at U.S. Government expense. Exceptions:
 - (1) If an employee or eligible family member resident at post dies, the remaining eligible family members resident at post may travel to the funeral or accompany the deceased to the place of interment in the United States or abroad;
 - (2) A nursing child may accompany the mother, or pre-school children may accompany a single parent;
 - (3) In EVT cases involving children who require exceptional medical attention and where both parents reside at post, both parents may be authorized to travel under the EVT authority. The limitations prescribed for that particular EVT apply to each traveler;
 - (4) For unaccompanied post EVT, the number of travelers may not exceed three unless the number of dependent children, as defined in 14 FAM 511.3, plus the spouse or domestic partner exceeds this limitation. The Department of State's Office of Casualty Assistance will make a decision for additional travelers on a case-by-case basis.
- e. Relationship of EVT travelers: EVT benefits are not transferable. Only the employee or the spouse or the domestic partner (as defined in 3 FAM 1610) directly related to the seriously ill, injured, or deceased family member may be authorized EVT. Exceptions:
 - (1) In exceptional circumstances such as the critical illness or injury of the traveler who otherwise would be authorized for EVT, the chief of mission or head of the Agriculture, BBG, Commerce, or USAID establishment abroad may authorize the employee, spouse, or domestic partner (as defined in 3 FAM 1610) to travel in place of such traveler;
 - (2) For eldercare EVT, the employee may designate the spouse or domestic

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partner to travel in his or her place, and vice versa;

- (3) For unaccompanied post EVT: If an immediate family member is not a suitable designee or if the employee has no immediate family, the employee may:
- (a) Designate other member(s) of the employee's extended family or the employee's spouse's or domestic partner's family, subject to OCA approval; or
 - (b) Designate an agent (see definition in 3 FAM 3745) authorized to travel in support of a medevaced employee.

3 FAM 3745 DEFINITIONS

(CT:PER-630; 11-18-2010)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

Agent: For purposes of unaccompanied post EVT, an agent authorized to travel in support of a medevaced employee ordinarily will be an individual other than a family member, who holds a medical power-of-attorney for the employee. On a case-by-case basis, State's Office of Casualty Assistance (OCA) may authorize the travel of another appropriate individual who does not hold a medical power-of-attorney to serve as an employee's agent.

Eligible family members: See definition in 14 FAM 511.3.

Family member: For purposes of unaccompanied post EVT only, the term includes eligible family members as defined in 14 FAM 511.3 and may include other immediate family (parents/guardians or siblings, including stepparents or stepsiblings, and nondependent children), regardless of whether such individuals are designated on the employee's assignment travel orders.

Immediate family member: For EVT purposes, this term applies to the spouse or domestic partner (as defined in 3 FAM 1610) and children, including stepchildren, adopted children, and those who are or were under legal guardianship; and parents of the employee or the employee's spouse or domestic partner (as defined in 3 FAM 1610). In the case of death EVT, the term "immediate family members" also applies to siblings, including stepbrothers, stepsisters, half-brothers and half-sisters of the employee, or the employee's spouse or domestic partner (as defined in 3 FAM 1610).

Incapacitation: A physical, mental, emotional or post-surgical condition whether temporary or permanent, that is severely impairing a parent's ability to continue with current living arrangements.

Medical power of attorney: A legal document signed by a competent adult, i.e., "principal," designating a person whom the principal trusts to make health-care decisions on the principal's behalf should the principal be unable to make such

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decisions.

Parent: The mother, father, stepparent or legally adoptive parent of the employee or of the spouse, or domestic partner (as defined in 3 FAM 1610) or individuals who have stood in place of a parent for the employee or spouse or domestic partner (as defined in 3 FAM 1610) during a significant portion of the individual's childhood prior to age 18. An employee or spouse or domestic partner (as defined in 3 FAM 1610) cannot be deemed to have more than two parents under any circumstances; i.e., if the employee or employee's spouse or domestic partner (as defined in 3 FAM 1610) has identified two birth parents as "parents" and traveled on medical, eldercare, or unusual personal hardship EVT to assist them, he or she cannot request EVT for a third parental individual, for example death EVT, upon the death of a stepparent.

Post: The administrative officer (AO), human resource officer (HRO), or delegate who carries out post human resource responsibilities including EVT.

Unaccompanied post: The Under Secretary for Management is responsible for designating as an unaccompanied post, those imminent danger areas at which family members are not authorized to reside, and from which family visitation travel may be authorized. Designations may change from time to time to reflect changing circumstances (see 3 FAM 3735.1).

3 FAM 3746 CATEGORIES OF AUTHORIZED EVT TRAVEL

3 FAM 3746.1 Medical Emergency Visitation Travel

(CT:PER-616; 09-15-2009)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Medical EVT is reserved for those emergency situations in which a member of the employee or employee's spouse's or domestic partner's (as defined in 3 FAM 1610) immediate family is seriously ill or injured and where death is imminent, i.e., expected within days.
- b. Employees and their spouses or domestic partners (as defined in 3 FAM 1610) are limited to one round trip for each serious illness, medical condition, or injury of each immediate family member. However, if the traveler returns to post from a medical EVT visit and the ill or injured immediate family member subsequently dies, death EVT may be requested and authorized in accordance with the provisions of 3 FAM 3744, subparagraph a(2).
- c. The traveler may be eligible for a subsequent medical EVT if the immediate family member survives the emergency and faces imminent death due to another, unrelated medical emergency.

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NOTE: 3 FAM 3746.1-1, Authorization Procedure, is relocated to 3 FAH-1 H-3742.1, Authorization Procedures for Medical EVT.

3 FAM 3746.2 Death Emergency Visitation Travel

(CT:PER-630; 11-18-2010)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Death EVT may be authorized when a member of the employee's or the employee's spouse's or domestic partner's (as defined in 3 FAM 1610) immediate family has died or when the employee or an eligible family member residing at the post of assignment has died.
- b. An employee or spouse or domestic partner (as defined in 3 FAM 1610) may be authorized one round trip from post in case of death of his or her immediate family member including siblings.
- c. Only the individual related to the deceased may be authorized death emergency visitation travel (EVT). However, in case of death of an employee or eligible family member stationed abroad (whether death occurs at post of assignment or elsewhere), one round trip to the place of interment is allowable for the remaining eligible family members resident at post. Travel to a country other than the United States is cost-constructed (3 FAM 3749.1).
- d. In keeping with the emergency nature of this benefit, travel should commence as soon as practical, upon notice that the immediate family member has died.

NOTE: Former 3 FAM 3746.2-1, Statement of Travel, is relocated to 3 FAH-1 H-3743.1, Procedures for Death EVT.

3 FAM 3746.3 Eldercare Emergency Visitation Travel

(CT:PER-616; 09-15-2009)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Eldercare emergency visitation travel (EVT): Reserved for those situations in which an employee or spouse or domestic partner (as defined in 3 FAM 1610) needs to assist a parent who has recently become temporarily or permanently incapacitated, and may not be able to continue living independently. Examples of circumstances in which eldercare EVT may be approved include, but are not limited to, the following:
 - (1) The physical, emotional or mental condition of a parent has deteriorated to the extent that he or she may no longer be able to continue living independently;
 - (2) A parent may not be able to continue living independently either temporarily or permanently as a result of recent surgery, injury, or

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accident; and

- (3) A parent must leave his or her living facility because he or she urgently requires medical or other care that is not available at that facility.
- b. Eldercare EVT limitations: Eldercare EVT may not exceed two round trips for the employee and two round trips for the spouse or domestic partner (as defined in 3 FAM 1610) during the career abroad of the eligible employee. The employee or spouse or domestic partner (as defined in 3 FAM 1610) may choose to use both eldercare EVTs in connection with the needs of only one parent. For eldercare EVT only, an employee may designate the spouse or domestic partner (as defined in 3 FAM 1610) to travel in his or her place or vice versa.
- c. Death of parent being visited: If the parent dies after the employee or spouse or domestic partner (as defined in 3 FAM 1610) commences eldercare EVT but before the traveler returns to post, the eldercare EVT status remains unchanged. If the parent dies prior to the employee or spouse or domestic partner (as defined in 3 FAM 1610) commencing eldercare travel, the eldercare EVT request must be revised to death EVT. In this situation, post would approve and fund the death EVT pursuant to 3 FAM 3746.2.

NOTE: Former 3 FAM 3746.3-1, Authorization Procedure, is relocated to 3 FAH-1 H-3744.1, Authorization Procedures for Eldercare EVT.

3 FAM 3746.4 Unusual Personal Hardship Emergency Visitation Travel

(CT:PER-616; 09-15-2009)
(Uniform State/USDA/BBG/Commerce/USAID)
(Applies to Foreign Service Employees)

Unusual personal hardship emergency visitation travel (EVT) is reserved for situations involving exceptional circumstances other than those provided for in 3 FAM 3744, subparagraphs a(1) through a(3). Requests are evaluated on a case-by-case basis.

NOTE: Authorization procedures formerly found in 3 FAM 3746.4, paragraph a, are relocated to 3 FAH-1 H-3745.1, Procedures for Unusual Personal Hardship EVT.

3 FAM 3746.5 Unaccompanied Post Emergency Visitation Travel

(CT:PER-630; 11-18-2010)
(Uniform State/USDA/BBG/Commerce/USAID)
(Applies to Foreign Service Employees)

- a. Unaccompanied post EVT: Reserved for emergency situations in which an employee is seriously wounded or becomes critically ill at an unaccompanied

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post, and in which the employee is subsequently medevaced to another medical facility and where a family member's and/or agent's presence is determined to be medically required during the emergency period:

- (1) The Foreign Service medical provider (FSMP) is responsible for making this determination;
 - (2) Post human resource officer (HRO) is responsible for requesting unaccompanied post EVT via emergency phone call to State's Office of Casualty Assistance. See 3 FAH-1 Exhibit H-3741.2 for other foreign affairs agencies' emergency offices; and
 - (3) State's Office of Casualty Assistance authorizes the unaccompanied post EVT request; contacts the family member(s) and/or agent; and arranges for transportation and per diem at U.S. Government expense from their home or current location to the bedside of the employee. See 3 FAH-1 Exhibit H-3741.2 for other agencies' EVT authorizing and reporting offices.
- b. Criteria for authorization of unaccompanied post EVT: Emergencies of this nature are major medical cases with serious implications. The injury or illness must either be seriously life threatening or have a high probability of resulting in a permanent life-changing condition. Subsequent treatment may potentially involve additional risk. A designated agent may serve as surrogate to an employee who has become medically incompetent; however, the FSMP may determine the presence of an agent to be medically required irrespective of whether an employee has become medically incompetent. The family member or agent may provide support to an employee whose condition has a choice of treatments, each with its own set of considerations or risks. The FSMP determines those medical and hardship emergencies in which the agent or family member's presence is necessary at the bedside of the injured or ill employee for assistance as described, as well as for providing personal comfort and support.
- c. Designation of agent, family member(s): The employee is responsible for designating emergency family members and/or agents prior to deployment. Contact information for designated emergency family members and/or agents will be placed on file in Department of State's Employee Services Center (ESC) database. At the time of an emergency, the Operation Center will provide this information to State's Office of Casualty Assistance (OCA). If, at the time of medevac emergency, the employee asks that a family member or agent other than previously designated be authorized to travel, the request will be conveyed by the HRO in the initial emergency phone call to OCA.
- d. Limitations on the number of travelers: The number of travelers may not exceed three unless the number of dependent children, as defined in 14 FAM 511.3, plus the spouse or domestic partner (as defined in 3 FAM 1610) exceeds this limitation. State's OCA will make a decision for additional travelers on a case-by-case basis. See 3 FAH-1 Exhibit H-3741.2 for other agencies' EVT authorizing and reporting offices.

3 FAM 3747 CHARGE TO LEAVE

(CT:PER-616; 09-15-2009)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Employees are granted transit time while in travel status during EVT, i.e., they are not charged leave while traveling to and from the destination of emergency visitation travel. Travel status will be calculated up to a maximum amount of time, which equates to the most direct and usually traveled route from post of assignment to the place of emergency. The return trip to post is treated the same.
- b. Time away from post (other than while in travel status) for emergency visitation is charged to annual leave, sick leave, compensatory time, or leave without pay, as appropriate. For information on using sick leave to care for an immediate family member or the maximum amount of sick leave that may be used, etc., see 3 FAH-1 H-3424. For information on invoking the Family and Medical Leave Act (FMLA), see 3 FAM 3530.

3 FAM 3748 EFFECT OF EMERGENCY VISITATION TRAVEL ON HOME LEAVE, FAMILY VISITATION TRAVEL, AND POST DIFFERENTIAL

(CT:PER-616; 09-15-2009)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Time spent in the United States delays date of home leave eligibility only if the employee has not already accumulated 18 months of continuous service abroad by the time EVT is initiated (see 3 FAM 3430 and 3 FAH-1 H-3430).
- b. If an employee is eligible for family visitation travel, there must be a waiting period of at least 3 months following the employee's return to post from emergency visitation travel before the employee may depart on family visitation travel to the same location. Exceptions to the waiting requirements may be made for valid reasons by principal officers and heads of Agriculture, BBG, Commerce and USAID establishments abroad or their designees if post workload and scheduling considerations permit.
- c. Post differential that was terminated during a period of absence from post, is re-instituted as of the date of return to the differential post (see Department of State Standardized Regulations [DSSR] 531.2).

3 FAM 3749 TRAVEL LIMITATIONS AND FUNDING

3 FAM 3749.1 Travel Limitations

(CT:PER-630; 11-18-2010)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Direct travel: EVT must comply with applicable requirements in 14 FAM 580 and will be by the most direct, usually traveled and inexpensive route available at the time of EVT request.
- b. Indirect travel: May be authorized only when official duties are to be performed en route, or when advantageous to the U.S. Government.
- c. Currencies: Excess and near-excess foreign currencies are to be used to the maximum extent feasible.
- d. Cost-constructed EVT outside the United States: In the event the seriously ill, injured, or deceased family member or incapacitated parent is located outside the United States, or the remains of an immediate family member who has died abroad are to be accompanied to a place outside the United States, travel costs are "constructed," i.e., the cost of the travel by the employee or employee's spouse or domestic partner (as defined in 3 FAM 1610) may not exceed the transportation expenses that would have been incurred for travel between the post and the employee's service separation residence address (see 14 FAM 536.2-4). Exceptions:
 - (1) Employees are not required to cost-construct travel costs if the employee is on TDY regardless of TDY location. However, if the EVT destination is outside the United States, EVT will be cost-constructed as stated in paragraph d of this section; and
 - (2) Employees are not required to cost-construct if the location of the person being visited is abroad due to the employee's assignment abroad; for example, if the employee is on long-term TDY to an unaccompanied or partially unaccompanied post (see 3 FAM 3735.1) and an eligible family member experiences an emergency at the post of assignment.
- e. Reimbursement: Reimbursement may not exceed allowable transportation expenses actually incurred.
- f. Class of travel service: First-class and business-class commercial air service travels are not authorized for EVT from post to destination regardless of trip length unless the Medical Director approves a specific exception. When air service is not available, minimum available first-class rail or bus services may be used. Special fares such as excursion fares and round-trip fares are to be used to the maximum extent possible.

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- g. Carriers: U.S.-flag carriers are to be used under the conditions described in 14 FAM 580; exceptions may be authorized, as appropriate, under 14 FAM 582. For USAID employees, see Automated Directives System (ADS) 523.
- h. Authorized expenses: Allowable EVT expenses include round-trip airfare, mandatory airport taxes, and connecting transportation between airports.
- i. Unauthorized expenses: Excess baggage or unaccompanied baggage charges are not authorized. Except for unaccompanied post EVT, other expenses such as local transportation to and from the airport and per diem are not authorized.

3 FAM 3749.2 Funding

(CT:PER-630; 11-18-2010)

(Uniform State/USDA/BBG/Commerce/USAID)

(Applies to Foreign Service Employees)

- a. Transportation costs for employees of the Department of State are funded as follows:
 - (1) Medical EVT, death EVT, and unusual personal hardship EVT are paid from post funds;
 - (2) Eldercare EVT is centrally funded;
 - (3) Unaccompanied post EVT is funded by the regional bureaus.
- b. Other agencies: Transportation costs for employees of the Department of Agriculture, BBG, and USAID are paid by the employee's agency from post funds. Costs for employees of the Department of Commerce are paid centrally.